

transactions and that such transactions are against good morals and contrary to public policy, and the fact of the near approach of the final adjournment of the present session of the Legislature creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended and that this bill take effect from and after its passage, and it is so enacted,

And find it correctly enrolled, and have this day, at 2:40 o'clock p. m., presented same to the Governor for his approval.

MASTERSON, Chairman.

SIXTY-NINTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, April 10, 1907.

Senate met pursuant to adjournment.
Lieutenant Governor Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney
Barrett.	Masterston.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Stone, the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

There being no bills and resolutions, the Chair declared the morning call concluded.

HOUSE BILL NO. 20.

House bill No. 8 was pending business, and

On motion of Senator Smith, the pending order of business (House bill No. 8), was suspended, and the Senate took up, out of its order, House bill No. 20.

The Chair laid before the Senate, on third reading,

House bill No. 20, A bill to be entitled "An Act to amend Section 114, and add Section 114a, which prescribes for a uniform test of an act passed by the First Called Session of the Twenty-ninth Legislature, entitled 'An Act to regulate elections and to provide penalties for its violation,' and to repeal the acts of the Twenty-eighth Legislature, of 1903."

The bill was read third time, and passed.

Senator Smith moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the report of the committee appointed to investigate the cost of the life size portrait of David Crockett.

Adopted Free Conference Committee report on Senate bill No. 151.

House concurs in Senate amendments to House bill No. 688.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 8.

The Chair laid before the Senate, on second reading,

House bill No. 8, A bill to be entitled "An Act to amend Article 1316, Chapter 12, Title XXX, of the Revised Civil Statutes of the State of Texas, relating to charges and instructions to juries."

The pending question on the bill was on the motion by Senator Harper to adopt the minority committee report in lieu of the majority committee report, and

Senator Skinner moved the previous question on the motion by Senator Harper. The motion being duly seconded, was ordered by the following vote:

Yeas—15.

Alexander.	Glasscock.
Barrett.	Green.
Brachfield.	Holsey.
Chambers.	Looney.
Cunningham.	Mayfield.

Senter.
Skinner.
Smith.

Veale.
Watson.

Nays—13.

Faust.
Greer.
Griggs.
Grinnan.
Harbison.
Harper.
Kellie.

Masterson.
Murray.
Paulus.
Stokes.
Stone.
Terrell.

Absent.

Hudspeth.
Meachum.

Willacy.

Action then recurred on the motion by Senator Harper to adopt the minority committee report and the same was lost by the following vote:

Yeas—13.

Greer.
Grinnan.
Harbison.
Harper.
Kellie.
Masterson.
Murray.

Paulus.
Smith.
Stone.
Terrell.
Veale.
Watson.

Nays—14.

Alexander.
Barrett.
Brachfield.
Chambers.
Cunningham.
Faust.
Green.

Griggs.
Holsey.
Looney.
Mayfield.
Senter.
Skinner.
Willacy.

Absent.

Glasscock.
Hudspeth.

Meachum.
Stokes.

The majority committee report was then adopted.

Senator Skinner offered the following amendment:

Amend the bill by inserting after the word "charge," in line 26, page 2, the following, "or to the failure of the court to give any special charge."

The amendment was adopted.

Senator Smith offered the following amendment:

Amend the bill as amended by adding to Section 1 thereof the following:

"Provided, that no new trial shall be granted or judgment set aside or reversed upon appeal from any error made, or defect in the charge of the court unless such error or errors are so fundamental and material as that it shall be made to appear from the evidence intro-

duced upon the trial, or statement of facts made and filed in the case, or from the entire record therein substantial injustice has been done thereby."

Senator Skinner moved to table the amendment, which motion to table was lost by the following vote:

Yeas—7.

Brachfield.
Chambers.
Green.
Holsey.

Meachum.
Senter.
Skinner.

Nays—19.

Alexander.
Barrett.
Cunningham.
Glasscock.
Greer.
Griggs.
Grinnan.
Harper.
Looney.
Masterson.

Mayfield.
Murray.
Paulus.
Smith.
Stokes.
Stone.
Terrell.
Veale.
Watson.

Present—Not Voting.

Harbison.

Absent.

Faust.
Hudspeth.

Kellie.
Willacy.

The amendment was then adopted.

Senator Smith moved to reconsider the vote by which the amendment was adopted, and lay that motion on the table.

The motion to table prevailed.

Senator Green offered the following amendment:

Amend the bill by adding the emergency clause, as follows:

"The crowded condition of the dockets of the courts creates an emergency and an imperative public necessity, and the crowded condition of the calendar making it impossible for this bill to be reached in its regular order, creates an emergency demanding that the constitutional rule requiring that bills be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted by the following vote:

Yeas—22.

Alexander.
Barrett.
Brachfield.
Chambers.
Cunningham.

Glasscock.
Green.
Greer.
Grinnan.
Harbison.

Harper.	Senter.
Holsey.	Skinner.
Looney.	Smith.
Mayfield.	Stokes.
Murray.	Stone.
Paulus.	Veale.

Nays—5.

Griggs.	Terrell.
Masterson.	Watson.
Meachum.	

Absent.

Faust.	Kellie.
Hudspeth.	Willacy.

Senator Harper offered the following amendment:

Amend the bill by adding after the word "waived," line 28, page 2, the following: "The judge before delivering the charge shall submit the same to the attorneys trying the cause, and they shall be granted a reasonable time in which to write and present the objections to the charge to the court."

The amendment was adopted.

Senator Brachfield offered the following amendment:

Amend by adding after the word "fundamental," in line 6, page 2: "Provided, should the court decide the objection good, he shall have the opportunity of correcting the charge before delivering same to the jury."

Senator Skinner moved the previous question on the amendment and the bill, which motion was seconded, but was lost.

The amendment by Senator Brachfield was adopted.

Senator Terrell offered the following amendment:

Amend the bill by striking out all amendments put on by the Senate, except the emergency clause, so as to leave the bill just as it came from the House.

The point of order was raised on the amendment that the subject which it amended had already been voted on, etc.

The point of order was sustained.

The bill was read second time, and the Senate refused to pass the same to a third reading by the following vote:

Yeas—12.

Alexander.	Holsey.
Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Senter.
Glasscock.	Skinner.
Green.	Willacy.

Nays—18.

Cunningham.	Faust.
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Greer.	Murray.
Griggs.	Paulus.
Grinnan.	Smith.
Harbison.	Stokes.
Harper.	Stone.
Kellie.	Terrell.
Masterson.	Veale.
Meachum.	Watson.

Absent.

Hudspeth.

Senator Meachum moved to reconsider the vote by which the Senate refused to pass the bill to a third reading, and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 306, A bill to be entitled "An Act to amend House bill No. 565, Chapter 49 of the Special Laws of the State of Texas, passed at the Twenty-ninth Legislature of the said State, beginning on the 15th day of January, 1905, and adjourning on May 14, 1905, and which said act was entitled 'An Act to incorporate the city of Beaumont, to grant it a special charter, and to repeal an act of the Legislature of the State of Texas, approved May 12, 1899, and entitled "An Act to incorporate the city of Beaumont, to grant it a special charter and fix its boundaries," and to repeal all acts amendatory of said act, and all special charters and amendments thereto heretofore granted to said city of Beaumont, and to declare an emergency,' by amending Sections 3, 6 and 7 of said act, passed by said Twenty-ninth Legislature, and is found on page 398 of the Special Laws of the State of Texas, passed at the Regular and First Called Sessions of the Twenty-ninth Legislature, and repealing all laws in conflict with amendments herein provided, and declaring an emergency, and striking out Sections 3, 6 and 7, and substituting Sections 3, 6 and 7, as follows," with amendments.

Senate bill No. 219, A bill to be entitled "An Act to amend Subdivision sixteen (16) of Article 642 of Chapter one hundred and thirty (130) of the acts of the Regular Session of the Twenty-fifth Legislature, entitled 'An

Act to amend Articles 641 and 642, Chapter 2, Title XXI, of the Revised Civil Statutes of Texas, relating to corporations, and declaring an emergency."

Senate bill No. 118, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office, with the consent and approval of the Attorney General, to sell the guayule, lechuguilla, sotol and other vegetation on school lands, and to enter into contracts for the purpose of determining the commercial value of substances found upon public free school lands," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 689.

The special order for this hour was House bill No. 147, and

On motion of Senator Stone, the special order of business (House bill No. 147) was suspended, and the Senate took up, out of its order, House bill No. 689.

The Chair laid before the Senate, on second reading,

House bill No. 689, A bill to be entitled "An Act to amend an act entitled 'An Act to incorporate the city of Waco and to define its boundaries and powers,' and declaring an emergency."

The committee report, which recommended a substitute bill, and that the same be not printed was, on motion of Senator Stone, adopted.

On motion of Senator Stone, the substitute bill was adopted in lieu of the original bill.

Senator Stone offered the following amendment, which was adopted:

Amend the bill by striking out "Section 8" of the bill, and further amend by changing Section 9 to make it read "Section 8" to conform to the other sections of the bill.

Bill read second time, and passed to a third reading.

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Greer.
Barrett.	Grinnan.
Brachfield.	Harbison.
Chambers.	Harper.
Cunningham.	Holsey.
Glasscock.	Kellie.
Green.	Looney.

Masterson.	Skinner.
Mayfield.	Smith.
Meachum.	Stone.
Murray.	Terrell.
Paulus.	Veale.
Senter.	Watson.

Absent.

Faust.	Stokes.
Griggs.	Willacy.
Hudspeth.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Kellie.	Watson.

Absent.

Faust.	Stokes.
Griggs.	Willacy.
Hudspeth.	

Senator Stone moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 730.

On motion of Senator Grinnan, the special order of business (House bill No. 147) was suspended, and the Senate took up, out of its order, House bill No. 730.

The Chair laid before the Senate, on second reading,

House bill No. 730, A bill to be entitled "An Act to amend House bill No. 390, Chapter 18 of the Special Laws of the Regular Session of the Twenty-ninth Legislature, same being entitled 'An Act creating a more efficient road law for Comanche county; providing that the county commissioners shall be ex-officio road commissioners in their respective precincts; defining their duties and regulating their compensation; and providing that the road overseers and hands shall work under the direction of the road commissioners, and providing penalties for failure to do so; providing for

working county convicts on the public roads; providing for working all delinquent taxpayers on public roads; and declaring an emergency."

On motion of Senator Grinnan, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Grinnan, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Kellie.	Watson.

Absent.

Cunningham.	Looney.
Faust.	Stokes.
Holsey.	Willacy.
Hudspeth.	

The bill was read third time, and passed by the following vote:

Yeas—28.

Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Stokes.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.

Absent.

Alexander.	Willacy.
Faust.	

Senator Grinnan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 426.

On motion of Senator Harper, the special order of business (House bill No. 147) was suspended, and the Senate took up, out of its order, House bill No. 426.

The Chair laid before the Senate, on second reading.

House bill No. 426, A bill to be entitled "An Act to authorize the directors of the Agricultural and Mechanical College of Texas to lease thirty acres of land belonging to the Agricultural and Mechanical College, located in Brazos county, Texas, for the purpose of the erection of a brick plant on said land."

On motion of Senator Harper, the committee report, which provided that the bill be not printed, was adopted.

Senator Harper offered the following amendment, which was adopted:

Amend the bill by adding the following section:

"Sec. 2. The large number of bills now upon the calendars of the House and Senate, and the fact that the session is now about to close, and the importance of this act, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Stokes.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.

Absent.

Cunningham.	Willacy.
Faust.	

The bill was read third time, and passed.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

EXCUSED.

On motion of Senator Smith, Senator Harbison was excused from attendance upon the Senate for Monday and Tuesday on account of important business.

HOUSE BILL NO. 147.

The Chair laid before the Senate, on second reading,

House bill No. 147, A bill to be entitled "An Act to amend Sections 36, 37 and 40 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to county supervision of public schools."

On motion of Senator Barrett, the committee report, which provided that the bill be not printed, was adopted.

Senator Chambers offered the following amendment:

Amend the bill by striking out the enacting clause.

CHAMBERS,
WATSON,
TERRELL.

Senator Barrett moved to table the amendment.

Senator Glasscock moved the previous question on the amendment and the bill. The motion was seconded, and so ordered by the following vote:

Yeas—18.

Alexander.	Kellie.
Barrett.	Looney.
Cunningham.	Masterson.
Glasscock.	Mayfield.
Green.	Meachum.
Greer.	Senter.
Harbison.	Skinner.
Harper.	Smith.
Holsey.	Veale.

Nays—10.

Brachfield.	Paulus.
Chambers.	Stokes.
Grinnan.	Stone.
Hudspeth.	Terrell.
Murray.	Watson.

Absent.

Faust.	Willacy.
Griggs.	

Action then recurred on the motion to table the amendment by Senator Cham-

bers and others, which motion to table was adopted by the following vote:

Yeas—18.

Alexander.	Kellie.
Barrett.	Looney.
Cunningham.	Masterson.
Glasscock.	Meachum.
Green.	Senter.
Greer.	Skinner.
Harbison.	Smith.
Harper.	Veale.
Hudspeth.	Willacy.

Nays—12.

Brachfield.	Murray.
Chambers.	Paulus.
Faust.	Stokes.
Grinnan.	Stone.
Holsey.	Terrell.
Mayfield.	Watson.

Absent.

Griggs.

Question then recurred on the passage of the bill to a third reading, and

Senator Meachum moved to reconsider the vote by which the previous question was ordered, and

Senator Barrett moved to table the motion to reconsider, which motion to table prevailed by the following vote:

Yeas—16.

Alexander.	Kellie.
Barrett.	Looney.
Cunningham.	Masterson.
Glasscock.	Mayfield.
Green.	Senter.
Harbison.	Skinner.
Harper.	Smith.
Hudspeth.	Veale.

Nays—14.

Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Holsey.	Watson.

Absent.

Willacy.

The bill was read second time, and passed to a third reading by the following vote:

Yeas—19.

Alexander.	Cunningham.
Barrett.	Glasscock.

Green.	Masterson.
Greer.	Meachum.
Griggs.	Senter.
Harbison.	Skinner.
Harper.	Smith.
Hudspeth.	Veale.
Kellie.	Willacy.
Looney.	

Nays—12.

Brachfield.	Murray.
Chambers.	Paulus.
Faust.	Stokes.
Grinnan.	Stone.
Holsey.	Terrell.
Mayfield.	Watson.

Senator Barrett moved to reconsider the vote by which the bill was passed to a third reading, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 353.

On motion of Senator Veale, the regular order of business (House bill No. 345), was suspended, and the Senate took up, out of its order, House bill No. 353.

The Chair laid before the Senate, on second reading,

House bill No. 353, A bill to be entitled "An Act to create a more efficient road system for Childress county, Texas."

On motion of Senator Veale, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

HOUSE BILL NO. 526.

On motion of Senator Stokes, the regular order of business (House bill No. 345), was suspended, and the Senate took up, out of its order, House bill No. 526.

The Chair laid before the Senate, on second reading,

House bill No. 526, A bill to be entitled "An Act to amend Article 650b, Chapter 2, Title XXI, of the Revised Civil Statutes of the State of Texas, relating to the purposes for which private corporations may be formed, and declaring an emergency."

On motion of Senator Stokes, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Stokes, the constitutional rule requiring bills to

be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Smith.
Green.	Stokes.
Greer.	Stone.
Grinnan.	Terrell.
Holsey.	Veale.
Hudspeth.	

Absent.

Griggs.	Senter.
Harbison.	Skinner.
Harper.	Watson.
Meachum.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Murray.
Glasscock.	Senter.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.

Absent.

Barrett.	Paulus.
Harbison.	Skinner.
Harper.	Willacy.
Meachum.	

Senator Stokes moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 499.

On motion of Senator Holsey, the pending order of business (House bill No. 345) was suspended, and the Senate took up, out of its order, House bill No. 499.

The Chair laid before the Senate, on second reading,

House bill No. 499, A bill to be entitled "An Act to grant a right of way to the Texas Midland Railroad, and to

authorize it to construct and operate a railroad switch or spur track or tracks from a point on the main line of the said Texas Midland Railroad at or near Eula Station to a point or points near the power house at the North Texas Insane Asylum, and across and upon lands belonging to the State of Texas and used in connection with said asylum, and to authorize the acquisition of a right of way for such switch or spur track or tracks across and upon other intervening lands belonging to others and to authorize the purchase and erection of a railroad scales near said asylum, and to authorize the board of managers of the North Texas Insane Asylum to enter into a contract with the Texas Midland Railroad for the construction and operation of said switch or spur track or tracks and to appropriate the necessary funds to procure said right of way and scales, and carry out said contract."

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 710, A bill to be entitled "An Act to create a more efficient road system for Lamar county, Texas," with engrossed rider.

House bill No. 743, A bill to be entitled "An Act to incorporate the city of Texarkana, Texas, as a city of the first-class as a city of ten thousand and over inhabitants; to grant to the said city a special charter; to repeal all laws in conflict herewith, and declaring an emergency."

House bill No. 740, A bill to be entitled "An Act amending the general and special road law in force in Smith county, Texas, by adding thereto the following, authorizing the commissioners court of said county to appoint a county superintendent, or commissioners precinct public road superintendent for said county, defining the powers and duties of public road superintendent, and repealing all laws and parts of laws in conflict herewith."

Senate bill No. 141, A bill to be entitled "An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education of such practitioners, and to insure better sanitary conditions in barber shops, and

to prevent the spread of disease in the State of Texas, and declaring an emergency."

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had read and referred, after their captions had been read, the following bills:

House bill No. 743, to Committee on Towns and City Corporations.

House bill No. 710, to Committee on Roads, Bridges and Ferries.

House bill No. 740, to Committee on Roads, Bridges and Ferries.

House bill No. 466, to Judiciary Committee No. 1.

House bill No. 409, to Committee on Public Buildings and Grounds.

House bill No. 498, to Committee on Educational Affairs.

MESSAGE FROM THE GOVERNOR.

Here the following message was received from the Governor, which was read to the Senate:

To the Senate.

I herewith return without my approval, Senate bill No. 6.

This bill has for its object the consolidation of the Gulf, Colorado & Santa Fe and the Texas & Gulf Railways, through a purchase or lease by the Gulf, Colorado & Santa Fe of the railroad and property of the Texas & Gulf Railroad and the merging of these two railroad properties by such lease or purchase. This bill as originally introduced in the Senate contemplated the consolidation of the Gulf, Colorado & Santa Fe Railroad, a line of railway extending from Galveston to Paris, Texas, with the Gulf & Interstate, a line extending from Bolivar Point, opposite Galveston, to Beaumont, and the Gulf, Beaumont & Great Northern Railway Company, a line of railway extending from Beaumont to Center in Shelby county, and the Texas & Gulf Railway Company, extending from Waterman in Shelby county, to Longview in Gregg county, and which, by the contemplated construction of a connecting link between the Gulf, Beaumont & Great Northern and the Texas & Gulf in Shelby county, and the required extension north from Longview Junction to Paris, to what we can reasonably assume to be a connection there with the Gulf, Colo-

rado & Santa Fe, and also the notice given as required by the Constitution, discloses the fixed and ultimate purpose of the promoters of this proposition to consolidate the four lines proposed from Paris via Longview and Beaumont, to Galveston, by sale or lease, with the Gulf, Colorado & Santa Fe Railway Company, a line already extending from Paris to Galveston and this bill is the first step in that unlawful purpose.

It is a matter of common knowledge that all the stock and bonds of the Gulf, Colorado & Santa Fe Railroad Company are owned by the Atchison, Topeka & Santa Fe Railroad Company, a foreign corporation, and it is equally well known that said foreign corporation has purchased and now operates and controls, in violation of the Constitution of Texas, the lines of railroad of the Gulf & Interstate, the Gulf, Beaumont & Great Northern and the Texas & Gulf Railroads, the purchase of which last named railways was doubtless accomplished to cut off existing competition in Texas traffic, and prospective competition of traffic between North and Northwest Texas and the Gulf ports as a result of the extension of the Texas & Gulf into the territory already occupied by the Gulf, Colorado & Santa Fe at Paris and in that section tributary to the line if the same had been extended in accordance with the plans of the former owners of said Texas & Gulf Railroad. It is well known that the Gulf, Colorado & Santa Fe Railway Company is dominated and absolutely controlled by the Atchison, Topeka & Santa Fe Railway Company, and that its entire income has heretofore been absorbed and is now being absorbed by the holding company, the Atchison, Topeka & Santa Fe, and that its outstanding debts and obligations are increasing while its income is being diverted for the payment of dividends upon the stock of the Atchison, Topeka & Santa Fe Railway, and that the apparent purchase of these other lines by the Gulf, Colorado & Santa Fe, a company without money or other assets, is nothing more nor less than a clumsy evasion of that provision of our Constitution which prohibits the Atchison, Topeka & Santa Fe Railway Company from purchasing, leasing or operating, or controlling any Texas railroad.

The progress of this bill to final passage in the House of Representatives was characterized by certain proceedings which should condemn the measure and which makes its sanction by me utterly impossible. The people of this

State have for their protection created the Railroad Commission and are seeking by that method to enforce a reasonable regulation of the railways of Texas, but at every step this agency employed by the people for their protection against extortion on the part of the railway companies has been embarrassed with Federal court injunctions and almost endless litigation. Every order of the Railroad Commission for the reduction of rates which is not acceptable to the railways has been attacked and too often enjoined in the Federal courts, and to the end that the Gulf, Colorado & Santa Fe Railroad Company be required to litigate with the Railroad Commission in the State courts and that relief from the embarrassment of the Federal courts interference be had, the following amendment to the proposed bill was offered while the same was under consideration:

Amend Section 9 by adding thereto the following:

"But if said Gulf, Colorado & Santa Fe Railroad Company shall institute a suit in the Federal court to enjoin the enforcement of any such rule or regulation promulgated by such Railroad Commission of Texas, then the rights and privileges granted in this act shall be forfeited."

This reasonable condition proposed as a consideration for the extraordinary powers, rights and privileges proposed by this bill was promptly voted down, and the practice of the railways of evading their obligations to the people by refuge in the Federal courts and in the long delays incident to such procedure would by such proceeding incident to the passage of this act, be considered as having been approved by the Legislature of the State of Texas, and I am unwilling to acquiesce in such an interpretation of legislative action or intention.

And further, Section 6 of our State Constitution provides, "That no railroad company organized under the laws of this State shall consolidate by private or judicial sale, or otherwise, with any railroad company organized under the laws of any other State of the United States."

To the end that this provision of our Constitution should remain inviolate, the following amendment was offered to the bill:

Amend Section 1 by adding thereto the following:

"Provided, that the provisions of this act shall be null and void if the stock or any portion thereof of the Gulf, Colorado & Santa Fe Railway Company is

now owned or may hereafter be owned by the Atchison, Topeka & Santa Fe Railroad Company, or any other foreign corporation, contrary to the Constitution and laws of this State."

It will be seen that this amendment only imposed upon the Gulf, Colorado & Santa Fe Railroad Company the reasonable condition that it obey the Constitution and laws of Texas, and that it shall take no rights under the provisions of this bill if such company was without that independent existence contemplated by the Constitution and laws of this State. and that it should not receive from the State for the benefit of a foreign corporation the valuable rights, privileges and advantages given by this act, if operating in violation of the Constitution and laws of the State of Texas. The amendment was defeated, and the known violation of the Constitution by this railway corporation and the Atchison, Topeka & Santa Fe Company, whether intentionally or not, was thus approved, and their crimes against the Constitution will be accepted by them and the public as authorized and condoned.

I am persuaded that the full force and effect of the amendments above referred to and of the reasonable interpretation that could be placed upon the action of the Legislature in rejecting them was not a subject of appropriate consideration, otherwise they would have received more serious attention and better support. The wisdom of that provision of our Constitution prohibiting foreign railway corporations from owning and dominating the railroad companies incorporated under the laws of the State of Texas, has been amply demonstrated by the results of operating flowing from the ownership and domination of the Gulf, Colorado & Santa Fe by the Atchison, Topeka & Santa Fe Railway Company, which Texas company has been dominated and controlled for many years by the Atchison, Topeka & Santa Fe Company, through holding its stock in violation of said Section 6, Article 10 of the Constitution of Texas.

By this form of domination and control unusual burdens have been laid upon the Gulf, Colorado & Santa Fe, and upon Texas traffic, by the Atchison, Topeka & Santa Fe, resulting from the divisions of revenue and the distribution of expenses of operation, thereby reducing the income of the Gulf, Colorado & Santa Fe Railway, which policy aids in the maintenance of higher freight and

passenger rates. Again, this ownership of the stock and all of the bonds of the Gulf, Colorado & Santa Fe which are held in the treasury of the Atchison, Topeka & Santa Fe Railway Company, has enabled the Atchison, Topeka & Santa Fe to pledge the same as collateral security for bonds and stock issued by the Atchison, Topeka & Santa Fe Railway Company which are outstanding and have been sold to the public. In this way the increased millions of bonds and stock of the Atchison, Topeka and Santa Fe Railway have become a mortgage and a charge upon the traffic, the productive power and the enterprises of the people of Texas. They impoverish the Texas line, and the bleeding process is applied in proportion to the gross income of the Gulf, Colorado & Santa Fe, and the people pay the freight. They have already gathered in this way, and are still gathering, many millions from the people through the illegal ownership of the stock of the Gulf, Colorado & Santa Fe, and they are seeking to gather in through this bill other lines of railway and other sections of this State, over which they now propose to spread their blighting debts, obligations and political influence.

The report of the Gulf, Colorado & Santa Fe Railway Company to the Railroad Commission for the year ending June 30, 1906, shows that the original funded debt of the railroad was \$21,310,000, consisting of \$12,696,600 of 7 per cent bonds and \$8,614,000 of 6 per cent bonds, from all of which the company realized by sale at discount \$20,335,771. This report includes certificates of indebtedness issued in 1904 and due in 1929, a sum aggregating \$17,858,924.70, a sum approximating and almost equal to the original cost of the Gulf, Colorado & Santa Fe property. This \$17,858,924.70 represents the interest coupons on the bonded debt above referred to, and which has accumulated during the period of ownership and control of the Gulf, Colorado & Santa Fe Railway Company by the Atchison, Topeka & Santa Fe Railway Company, a debt that has been incurred and which the people must pay through traffic charges, while the income of the Gulf, Colorado & Santa Fe Railway Company has been and is being diverted to the payment of dividends upon the vast capitalization and bonded debt of the Atchison Topeka & Santa Fe Railway Company, which amounts to \$491,694,330, as shown by that company's report for the year ending June 30, 1906. These last mentioned certificates of indebtedness have been issued since the

stock and bond law went into effect and are bearing interest. These are held by the Atchison, Topeka & Santa Fe Railway Company, and it will be seen that the Atchison company is not satisfied to divert the legitimate income of the Gulf, Colorado & Santa Fe, but manipulates the divisions of revenue and expenses by which the Texas railroad received the smallest proportion of the earnings and the largest proportion of the expenses, and in addition to this diversion of the revenues to the payment of dividends on the mortgages and bonds of the Atchison, Topeka & Santa Fe Railway Company, the said holding company is compounding the interest thereon. But for this illegal domination of the Gulf, Colorado & Santa Fe Railway Company its income could be applied to its debts and freight and passenger rates further reduced.

It is shown by the Interstate Commerce Commission's report on the statistics of railroads in the United States for 1905, on page 590, that the Atchison, Topeka & Santa Fe Railway Company paid on the lines south of Red river 4 per cent dividends, or \$576,252, on common stock and 5 per cent or \$806,638 on preferred stock, and paid \$1,358,013, or an average of 4 per cent, on the funded debt, which in the aggregate amounts to \$2,740,903 paid in dividends and interest on the lines owned by the company south of Red river, said lines being in Texas, which sum is equivalent to 4 per cent on over \$60,000,000 of stock and bonds, when in fact the funded debt and the stock outstanding against the railway properties dominated and controlled by the Atchison, Topeka & Santa Fe Railway Company is about \$40,000,000.

These bonds and this stock is owned by the Atchison, Topeka & Santa Fe, and it will be seen that they not only paid a sum equal to 4 per cent on the actual debt and stocks, but that said holding company paid to itself an excess of 4 per cent on about \$20,000,000, and in addition to the real outstanding debt and stock of the companies south of Red river.

From reliable data in my possession, which is based on data mentioned in the statistical report of the Interstate Commerce Commission for the year ending June 30, 1904, 4 per cent dividends were paid on common stock, amounting to \$577,476, being 4 per cent of a total of about \$14,436,900. Eight hundred and eight thousand three hundred and fifty-one dollars was paid in dividends on preferred stock on lines of railway dominated by the Atchison, Topeka & Santa

Fe south of the Red river, which was equal to 5 per cent on a total value of \$16,167,020; they paid on funded debt on lines south of Red river, \$333,698, a sum equal to 4.03 per cent on \$33,094,244, making a total valuation of \$63,698,164, and the interest and stock dividends paid on same was equal to 4.11 per cent on the grand total.

The same data shows that the total amount of stock and bonds outstanding on all of the Atchison, Topeka & Santa Fe property in Texas, including the Cane Belt, Gulf, Beaumont & Great Northern, Gulf, Beaumont & Kansas City; Gulf, Colorado & Santa Fe, Pecos & Northern Texas, and Pecos River & Southern Kansas Companies, was \$41,629,900, interest on which at 4 per cent would be \$1,710,888, which, deducted from the total amounts paid in dividends and the interest on lines south of Red river, would leave \$1,008,637.

Thus it will be seen that the average interest and stock dividends for the year 1904 on these lines was 4.11 per cent, and the average for the year ending June 30, 1905, as shown by the report of the Interstate Commerce Commission, is 4.27 per cent.

From these statistics and the data above referred to it is clear that the stocks which represent these Texas railroads under the control of the Atchison, Topeka & Santa Fe Railway are earning dividends, and that dividends have been paid and are being paid on the same to the Atchison, Topeka & Santa Fe Railway Company, and that through the manipulation incident to their unlawful holding and control of these companies the Gulf, Colorado & Santa Fe Railway has been defaulting in the interest due by it, and additional burdens are now being laid upon Texas commerce and Texas traffic, and this bill has for its ultimate object the impoverishment of the heretofore prosperous and independent Texas & Gulf Railway Company and of the other three lines of railroad included in this bill as originally proposed. These properties, if left alone, would have gone forward in their independent construction and would have been a more fruitful source of development and convenience in that section of the State which gives promise of growing prosperity if not blighted by railroad consolidations so destructive of competition, and if not plundered by the never-satisfied greed of the railroad trust which is by combinations and consolidations imperiling free government in this country.

The capitalization and bonded in-

debtedness of the Gulf, Colorado & Santa Fe Railway, which includes the certificates of indebtedness hereinbefore referred to as a charge against the 1149.64 miles of main line in Texas and the Indian Territory, amounts to a total obligation of \$43,718,924.70, and although it has for years defaulted in its interest obligations, we have presented by this bill a clumsy sham of purchase by said company of another railroad and it is proposed by Section 2 to authorize this purchase, but to have the people pay the price. Said Section 2 provides that in addition to the stocks and bonds heretofore issued by the Gulf, Colorado & Santa Fe Railway Company, it is empowered and authorized to issue its bonds and stocks, either or both, to make payment for said properties, said section provides further that the Railroad Commission shall require evidence that all bonds heretofore issued by the Texas & Gulf Railroad Company shall have been satisfied and canceled. The Texas & Gulf Railroad is 70.07 miles in length and is capitalized at \$1070 per mile at present, and this is the only obligation outstanding against this company in stock and bonds. This section of the bill probably involves the cancellation of \$75,000 in stock which is held by the Atchison, Topeka & Santa Fe and to substitute in its place at the very outset a million dollars in stocks and bonds, either or both, which shall be used in the payment of the purchase of said properties.

These bonds, the traffic and commerce of Texas must pay, and when the people have paid for the railroad it goes up to Atchison, Topeka & Santa Fe Railway Company, a foreign corporation, without cost, and where it is free of bonded debt now and will bear lower freight rates than when covered with a mortgage debt, the proposed bonds could be used as a basis for injunctions to annoy and embarrass the Railroad Commission when seeking to give the people relief against the unjust rates now applying on local traffic in Texas and herein may be found the underlying causes for the action of large railway systems in gathering up and stifling by the bonding process the independent lines not theretofore burdened with over-capitalization and bonded debts. These heavily bonded debts placed by the purchasing company often owned by the great railway systems themselves are always employed to justify exorbitant freight and passenger tariffs and to prevent the application of unreasonable freight and passenger rates. Any effort to issue

stock or lay bonds on the Texas & Gulf Railway Company as proposed by Section 2 of this bill, or the purchase of said road already owned by the Atchison Company by the issuance of stock or bonds, is a subterfuge and a clear violation of Section 6, Article 12, of the Constitution of the State of Texas, which reads as follows:

"No corporation shall issue stock or bonds except for money paid, labor done, or property actually received, and all fictitious increase of stock or indebtedness shall be void."

The Texas & Gulf Railroad, as an independent line, practically paid for itself, there being only \$75,000 stock outstanding, which was held by former owners, and as shown by the eleventh annual report of the Atchison, Topeka & Santa Fe Railroad Company, which report is made for the year ending June 30, 1906, the Texas & Gulf Railroad was sold to said foreign corporation for \$1,000,000. During practically the same period of successful operation, on the part of the Texas & Gulf Railroad, by which it almost built and paid for itself, the Gulf, Colorado & Santa Fe Railway Company had defaulted in its obligations to the extent of \$17,858,924.70, and as has been shown while the Texas & Gulf Railroad Company had practically paid for itself within a few years, the Gulf, Colorado & Santa Fe, which, under this proposed sham sale and consolidation, proposes to buy the Texas & Gulf Railway, has already defaulted in its interest in an aggregate sum almost equal to the cost of the road.

Section 5 of Article 10 of the Constitution of the State of Texas, reads as follows:

"No railroad or other corporation or the lessee, purchaser or manager of any railroad corporation shall consolidate the stock, property or franchises of such corporation with, or lease or purchase the works or franchises of, or in any way control a parallel or competing line, nor shall any officer of such railroad corporation act as an officer of any other railroad corporation owning or having the control of a parallel or competing line."

That this bill as originally introduced, contemplated a line from Galveston via Beaumont and Longview to the city of Paris, which would not only parallel but constitute an active competitor with the Gulf, Colorado & Santa Fe, admits of no question, and that the Texas & Gulf from Longview, taken in connection with the Houston East & West Texas Railway at Timpson is a compet-

ing line with the Gulf, Colorado & Santa Fe, is equally clear. If these lines are either parallel or competing then the bill is unconstitutional and it is my plain duty to disapprove the same. That they are both parallel and competing lines can not be successfully controverted. It is true that the Texas & Gulf Railway Company and the Gulf, Colorado & Santa Fe Railroad Company do not in fact connect directly with each other, but in the case of East Line & Red River Railroad Company vs. the State, 75 Texas Supreme Court Reports, page 434, in a parallel case, the trial court used the following language in the findings of fact:

"Disregarding the connection with other railroads and lines of transportation, the East Line & Red River and the Missouri, Kansas & Texas Railroads were not competing roads when said sale was made. Considered with reference to such connections they were competing roads," and upon these findings of fact the trial court held that the consolidation of the East Line & Red River and the Missouri, Kansas & Texas Railroads was a violation of the Constitution and rendered a judgment forfeiting the charter of the East Line & Red River Railroad Company. Upon appeal, the judgment of the district court was affirmed by the Supreme Court, and among other things, Chief Justice Stayton said "We further concur with the court below in holding that railways, by reason of such relations with, control or management of other lines than their own, may become, within the meaning of the law, competing lines, though the railways owned by them may not in fact connect."

When viewed with reference to their connections with other lines of railway, I am forced to the conclusion that the lines of Texas & Gulf Railway and the Gulf, Colorado & Santa Fe, are competing and can not be consolidated by purchase or lease of one to the other without a violation of the Constitution and that this bill is therefore void.

To illustrate: The products of the forest, factories, farms and other traffic originating at Longview, and having destination at Houston or at Galveston, locally or for export, could be taken by the Texas & Pacific Railroad and carried to Dallas and delivered to the Gulf, Colorado & Santa Fe for transportation over that line to either Houston or Galveston, and the Texas & Gulf Railway could take the same shipment in competition with the Texas & Pacific and the

Gulf, Colorado & Santa Fe with its connection at Dallas, and said Texas & Gulf Railway could deliver the same to the Houston East & West Texas Railroad at Timpson for delivery at Houston or to its connecting line at Houston for Galveston in the event Galveston was its final destination, or in the event that such shipment was intended to pass through the port of Galveston. What may be said of the shipment originating at Longview may also be said of a shipment originating on the Texas & Pacific Railway at any point between Dallas and Longview, intended for export through the port of Galveston or having either Houston or Galveston for final destination, and traffic coming through that port from the Atlantic Seaboard or from foreign ports having Longview or any point in North Texas, north of the Texas & Pacific Railway or beyond, could be transported either over the Gulf, Colorado & Santa Fe and its northern connections or over the Houston East & West Texas and the Texas & Gulf and its northern connections. The competitive features of these lines could be multiplied, and by illustration further emphasized, but this is deemed unnecessary as the Constitution of this State recognizes a distinction between good consolidations and bad consolidations. Therefore, if these lines are competitive in any degree, this bill comes within the constitutional inhibition and the same must fall.

And further, a shipment having originated at Timpson with destination at Dallas or any other North Texas point, may be taken by the Houston East & West Texas and delivered to the Gulf, Colorado & Santa Fe Railway at Houston, for delivery at destination, or it may be taken by the Texas & Gulf Railroad and transported over its line of railway to Longview and there delivered to the Texas & Pacific Railway for delivery at destination by its northern connections.

It can be easily seen that the consolidation of the Texas & Gulf Railroad with the Gulf, Colorado & Santa Fe Railway would deprive it and the people served by it of the legitimate protection now afforded them by the connections with the Texas & Pacific Railway at Longview Junction and at Timpson.

Take the city of Carthage to illustrate the situation. Suppose as a matter of course that the Texas & Gulf Railroad could, as proposed by this bill, be connected with the Gulf, Colorado & Santa Fe Railway by being extended from its present terminus at Waterman

to a connection with the railway extended from Beaumont to Center, now controlled by the Atchison, Topeka & Santa Fe Railway Company, through its ownership of the Gulf, Colorado & Santa Fe Railway Company, and that this connection is made at the nearest point which is understood to be about fourteen miles from Waterman, the shipments from Carthage to Houston and Galveston may take one of two competitive routes, viz.: via Timpson and the Houston East & West Texas Railway, or via Longview Junction and the International & Great Northern Railroad. The total distance from Carthage to Houston via the Houston East & West Texas Railway is 185.9 miles, while via Longview Junction and the International & Great Northern Railroad it is 258.6. Now it should be noted that the distance the shipments would have to move via the Gulf, Colorado & Santa Fe Railway from Carthage to Waterman, 35.1 miles from Waterman over the 14 miles proposed to be built by the Gulf, Colorado & Santa Fe Railway, and then from such point to Houston, it would have to travel a distance of 392.8 miles, or a total distance of 442 miles, or the excess over the short line route via Timpson and the Houston East & West Texas Railway of 256.0 and the excess over the route via Longview Junction and the International & Great Northern of 183 miles, and the difference between Carthage and Galveston and the difference between the distance on the Gulf, Colorado & Santa Fe and the International & Great Northern and the Houston East & West Texas are about the same as those to Houston.

No one supposes that competition for this traffic either in rates, handling, prompt delivery, service or accommodations would again exist as applied to business having origin or destination in the town of Carthage, if this bill should become a law. The situation with respect to business between Carthage and other Texas & Gulf Railway points and Dallas, Fort Worth and other Northern Texas points would be even worse, if possible, than would be the situation as applied to South Texas.

Take for instance the traffic moving between Carthage and Dallas. The natural line being by Longview and the Texas & Pacific, a total distance of 161.3 miles, while via the Gulf, Colorado & Santa Fe Railway the entire haul with the proposed connections would be 553 miles between Carthage and Dallas, an excess haul of 394 miles. The extra distance involves much extra time in the

movement of freight which is a material factor and of much interest to the shipper.

Who would assume that after the Gulf, Colorado & Santa Fe Railway Company had effected the destruction of competition in that territory as this consolidation measure would, would accommodate itself to the advantages of the present competitive conditions by surrounding any traffic originating on the proposed line in which it has no interest, for delivery at final destination.

When the people who were prompted by worthy motives in their support of this bill come to know and understand that such measures mean only their undoing, I hazard nothing in saying that such propositions will be without support at their hands.

The Atchison, Topeka & Santa Fe Company owns and controls, in violation of the Constitution of this State, the following railroads in Texas, viz.: The Gulf Colorado & Santa Fe, the Texas & Gulf Railroad, the Gulf & Interstate Railroad, the Beaumont Wharf & Terminal Company, the Cane Belt Railroad, the Gulf, Beaumont & Great Northern Railway, the Gulf, Beaumont & Kansas City Railway, the Jasper & Eastern Railway, the Pecos & Northern Texas Railway, the Pecos River Railroad, the Rio Grande & El Paso Railroad, and the Southern Kansas Railway of Texas, with a total mileage of 1740.9 miles. Is this flagrant violation of the Constitution, this bold defiance of our organic law acceptable to the people of Texas? Shall we tolerate a system under a foreign corporate pirate that may consolidate the independent lines of Texas into one vast trust? I believe that no such sentiment finds lodgment in the hearts of patriotic of Texans.

If the organic law of this State is to be trampled under foot, if the public policies destructive of competition are to be established, if Texas is to have her industrial progress strangled by the iron hand of the railway trust, if our State, her legislation and her governmental and transportation policies are to be dictated by either a foreign or domestic corporate power, I am determined that no one can say that I failed to give the alarm when the danger was at our doors. It has occurred to me that our time might be more profitably employed in the formulation of effective plans for undoing the mischief already done along the lines contemplated by this bill. I am conscious of having done my full duty in this effort to preserve the integ-

city of the Constitution, and to my objections to this bill I invite your faithful consideration with the full belief that the members of the Legislature will perform their duty as they see it.

T. M. CAMPBELL,
Governor.

Completing the reading of the message, Senator Kellie stated that he would call up the message for action on same immediately after the Senate reconvened after the noon hour.

SENATE BILL NO. 306 — HOUSE
AMENDMENTS CONCURRED IN.

Senator Griggs called up, as a privileged matter,

Senate bill No. 306, A bill to be entitled "An Act to amend House bill No. 565, Chapter 49, of the Special Laws of the State of Texas, passed at the Twenty-ninth Legislature of said State, beginning on the 15th day of January, 1905, and adjourning on May 14, 1905, and which said act was entitled 'An Act to incorporate the city of Beaumont, to grant it a special charter, and to repeal an act of the Legislature of the State of Texas, approved May 12, 1899, and entitled an act to incorporate the city of Beaumont, to grant it a special charter, and to fix its boundaries, and to repeal all acts amendatory of said act, and all special charters and amendments thereto heretofore granted to said city of Beaumont, and to declare an emergency,'" and which said act was entitled 'An Act to incorporate the city of Beaumont, to grant it a special charter, and to fix its boundaries, and to repeal all acts amendatory of said act, and all special charters and amendments thereto heretofore granted to said city of Beaumont, and to declare an emergency,'" and to declare an emergency,"

And moved that the Senate concur in the following House amendments:

Amend Senate bill No. 306, Section 3, page 2, line 14, by striking out all after the word "ward" down to and including the word "city."

Amend Senate amendment No. 3 to read as follows:

"3. Amend the bill by adding Section 8 as follows: This bill shall not become effective as a law until the city council of the city of Beaumont shall first pass a resolution ordering an election to be held by the qualified voters of the city of Beaumont, and until such voters have voted in favor of the proposition contained in this bill. After the passage of this bill the city council of the city of Beaumont shall order an election to be held within the city of Beaumont, at which only the qualified voters of said city shall be allowed to vote, and the city council, in ordering said election, shall prescribe the form of ballots to be used at said election, and said election shall be governed by the rules of law applicable to such election. After said

election has been held, the returns thereof shall be made to the city council, who shall proceed immediately to canvass the returns, and if a majority of the voters cast their votes in favor of the proposition contained in this bill the city council shall so certify, and this bill shall become effective and be in force immediately. If, however, a majority of such votes so cast at such election shall be against the proposition contained in this bill, then this act shall not take effect. In no event, however, shall the present officers of the city of Beaumont be disturbed in the possession of their offices until the next general election."

The motion to concur prevailed.

HOUSE BILL NO. 499.

Action recurred on House bill No. 499, the question being on the passage of same to a third reading.

Bill read second time, and passed to third reading.

On motion of Senator Holsey, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	

Absent.

Chambers.	Senter.
Faust.	Skinner.
Harper.	Terrell.
Meachum.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander.	Holsey.
Barrett.	Hudspeth.
Brachfield.	Kellie.
Cunningham.	Looney.
Glasscock.	Masterson.
Greer.	Mayfield.
Griggs.	Murray.
Grinnan.	Paulus.
Harbison.	Senter.

Smith.
Stokes.

Stone.
Veale.

Absent.

Chambers.
Faust.
Green.
Harper.
Meachum.

Skinner.
Terrell.
Watson.
Willacy.

Senator Holsey moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 493.

On motion of Senator Glasscock, the regular order of business (House bill No. 345) was suspended, and the Senate took up, out of its order, House bill No. 493.

The Chair laid before the Senate, on second reading,

House bill No. 493, A bill to be entitled "An Act to amend Section 15 of Chapter 94, Acts of the Twenty-eighth Legislature of Texas, entitled 'An Act to define, prohibit and declare illegal, trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of same, and to promote free competition in the State of Texas, and to repeal all laws in conflict therewith, and declaring an emergency.'"

Bill read second time, and passed to a third reading.

On motion of Senator Glasscock, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.
Barrett.
Brachfield.
Chambers.
Cunningham.
Glasscock.
Green.
Greer.
Griggs.
Grinnan.
Harbison.
Hudspeth.
Kellie.

Looney.
Masterson.
Mayfield.
Meachum.
Murray.
Paulus.
Senter.
Smith.
Stokes.
Stone.
Veale.
Watson.

Absent.

Faust.
Harper.
Holsey.

Skinner.
Terrell.
Willacy.

The bill was read third time, and passed by the following vote:

Yeas—24.

Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Smith.
Grinnan.	Stokes.
Harbison.	Stone.
Holsey.	Veale.
Hudspeth.	Watson.

Absent.

Alexander.	Skinner.
Faust.	Terrell.
Harper.	Willacy.
Meachum.	

Senator Glasscock moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FOURTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House Joint Resolution No. 40, To amend Section 24 of Article 3 of the Constitution of the State of Texas, relating to the compensation of members of the Legislature.

House bill No. 489, A bill to be entitled "An Act to amend Section 1, Chapter 161, Acts of the Twenty-ninth Legislature, entitled 'An Act to provide for the appointment and qualification of a county auditor in any county having therein a city with a population of 25,000 and over; providing for the manner of appointment; the duties of said officer; the compensation allowed; making this act cumulative of other provisions in the present laws; and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.'"

House concurs in Senate amendments to House bill No. 723.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 269.

On motion of Senator Green, the pending order of business (House bill No. 345) was suspended, and the Senate took up, out of its order, House bill No. 269.

The Chair laid before the Senate, on second reading,

House bill No. 269, A bill to be entitled "An Act to repeal, except as hereinafter provided, Chapters 2, 3 and 4 of Title LXII, of the Revised Civil Statutes of the State of Texas, 1895, and Article 3159a of Chapter 4, Title LXII, of the Revised Civil Statutes of Texas, added thereto by the Acts of the Regular Session of the Twenty-ninth Legislature; to repeal Article 647 of Chapter 2, Title VIII, of the Code of Criminal Procedure of the State of Texas, as amended by the Acts of the Regular Session of the Twenty-ninth Legislature; to amend Article 647 of Chapter 2, Title VIII, of the Code of Criminal Procedure of the State of Texas; to provide for the selection of jurors in all counties in Texas having a city or cities therein, which city or cities contain a population of 20,000 or more people; to provide for penalties for the violation of any of the provisions of this act, and to declare an emergency."

On motion of Senator Green, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Green, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Harbison.	Stone.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	

Absent.

Faust.	Terrell.
Harper.	Willacy.

The bill was read third time, and passed.

Senator Green moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

RECESS.

On motion of Senator Stone, the Senate, at 12:20, recessed until 2 o'clock today.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

SENATE BILL NO. 118—HOUSE AMENDMENTS CONCURRED IN.

Senator Hudspeth called up, as a privileged matter,

Senate bill No. 118, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office, with the consent and approval of the Governor and Attorney General, to sell the guayule, lechuguilla, sotol and other vegetation on school land, and enter into contracts for the purpose of determining the commercial value of those and all other substances found upon public free school land,"

And moved that the Senate concur in the following House amendments:

Amend the bill, page 1, by striking out the word "sotol," on page 1.

The motion to concur prevailed by the following vote:

Yeas—22.

Alexander.	Harper.
Brachfield.	Hudspeth.
Chambers.	Kellie.
Cunningham.	Looney.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Skinner.
Griggs.	Stone.
Grinnan.	Veale.
Harbison.	Watson.

Absent.

Barrett.	Smith.
Holsey.	Stokes.
Masterson.	Terrell.
Mayfield.	Willacy.
Senter.	

HOUSE BILL NO. 345.

The Chair laid before the Senate, on third reading and pending business,

House bill No. 345, A bill to be entitled "An Act to preserve and protect the wild game, wild birds and wild fowls of the State, to provide adequate penalties for the violation of this act, and the unlawful taking, slaughter, sale or shipment thereof, and to repeal all laws or parts of laws in conflict herewith."

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Chambers.	Kellie.
Cunningham.	Looney.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Veale.
Harper.	Watson.

Absent.

Barrett.	Senter.
Brachfield.	Stokes.
Holsey.	Terrell.
Masterson.	Willacy.
Mayfield.	

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had read and referred, after their captions had been read, the following bills:

House bill No. 489, to Judiciary Committee No. 1.

House Joint Resolution No. 40, to Committee on Constitutional Amendments.

HOUSE BILL NO. 428.

On motion of Senator Smith, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 428.

The Chair laid before the Senate, on second reading,

House bill No. 428, A bill to be entitled "An Act to amend Chapter 164, Section 20, of the Acts of the Twentieth Legislature, 1905, relating to county depositories."

On motion of Senator Smith, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stone.
Harbison.	Veale.
Harper.	Watson.

Absent.

Chambers.	Senter.
Grinnan.	Stokes.
Holsey.	Terrell.
Masterson.	Willacy.
Mayfield.	

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Meachum.
Cunningham.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Green.	Stone.
Greer.	Terrell.
Griggs.	Veale.
Harbison.	Watson.
Harper.	

Absent.

Chambers.	Mayfield.
Grinnan.	Murray.
Holsey.	Senter.
Kellie.	Stokes.
Masterson.	Willacy.

Senator Smith moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 683.

On motion of Senator Paulus, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 683.

The Chair laid before the Senate, on second reading,

House bill No. 683, A bill to be entitled "An Act to amend Section 10 and Section 30 of Chapter 49 of the Acts of the Twenty-seventh Legislature as amended by the Twenty-eighth Legislature, Chapter 11, so as to provide for the increase of the payment of the road commissioners in the counties of Fayette, Uvalde and Frio to the maximum sum of \$360, instead of \$300 per year, and to provide for the increase of the amounts of contracts, material and labor for the construction of any bridge that must be advertised."

On motion of Senator Paulus, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Paulus, the committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and passed to a third reading.

FIFTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 727, A bill to be entitled "An Act to authorize any county or any political subdivision of a county upon a vote of two-thirds majority of the resident property taxpayers voting thereon, who are qualified electors of such county or political subdivision of the county, to issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such county or political subdivision thereof, and to levy and collect taxes to pay the interest on said bonds, and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled and paved roads and turnpikes, or in aid thereof."

Senate bill No. 309, A bill to be entitled "An Act to amend Section 2 of Senate bill No. 80, passed by the Regular Session of the Thirtieth Legislature and approved February 21, 1907, creating the Blossom Independent School District, in Lamar county, Texas, and defining its boundaries, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 142.

On motion of Senator Chambers, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 142.

The Chair laid before the Senate, on second reading,

House bill No. 142, A bill to be entitled "An Act to dispense with liquidated mortgages without the cost of cancellation, and to relieve the county vaults of worthless paper, with an emergency clause."

The committee report, with amendments, was adopted, on motion of Senator Chambers.

Bill read second time, and passed to a third reading.

On motion of Senator Chambers, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Kellie.
Barrett.	Looney.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.

Absent.

Brachfield.	Senter.
Greer.	Willacy.
Masterson.	

The bill was read third time, and passed.

Senator Chambers moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 481.

On motion of Senator Alexander, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 481.

The Chair laid before the Senate, on second reading,

House bill No. 481, A bill to be entitled "An Act to confer upon the Railroad Commission of Texas the power

to make temporary freight and passenger rates whenever an emergency arises, the sufficiency of which shall be judged by said Commission, in order that justice may be done, or injury prevented to any person, place or locality; and to suspend temporarily any existing freight or passenger rate, and to establish temporarily any freight or passenger rate where none exists, and to declare an emergency."

On motion of Senator Alexander, the committee report, which provided that the bill be not printed, was adopted.

Senator Alexander offered the following amendment, which was adopted:

Amend House bill No. 481 by adding: "Sec. 2. The near approach of the end of the session and the demand for immediate legislation on this subject constitutes an imperative public necessity that the constitutional rule requiring bills to be read in each house of the Legislature on three several days be suspended and that this act take effect from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Alexander, the constitutional rule requiring bills to be read on three several days, was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Paulus.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	

Present—Not Voting.

Murray.

Absent.

Harper.	Watson.
Kellie.	Willacy.
Masterson.	

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Brachfield.
Barrett.	Chambers.

Cunningham.	Masterson.
Faust.	Mayfield.
Green.	Meachum.
Greer.	Paulus.
Griggs.	Senter.
Grinnan.	Skinner.
Harbison.	Smith.
Harper.	Stokes.
Holsey.	Stone.
Hudspeth.	Terrell.
Kellie.	Veale.
Looney.	

Present—Not Voting.

Murray.

Absent.

Glasscock.	Willacy.
Watson.	

Senator Alexander moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

SIXTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 286, A bill to be entitled "An Act to amend an act entitled 'An Act to amend Section 1 of an act entitled an act to amend an act to amend an act entitled an act to redistrict the State into judicial districts and fix the times for holding court therein and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved March 24, 1885, to create the Forty-third Judicial District of the State of Texas, fix the times for holding court therein and to provide for the appointment of a district judge for said district, approved March 30, 1887, to create the Forty-eighth Judicial District of the State of Texas, fix the times for holding court therein, and to fix the times for holding court in the Seventeenth Judicial District of the State of Texas, and to provide for the appointment of a district judge of the said Forty-eighth Judicial District,' passed by the Twenty-second Legislature of the State of Texas, approved February 6, 1891, and being Chapter 3 of the General Laws of Texas, of 1891, and to create the Sixty-seventh

Judicial District of the State of Texas, fix the times for holding the district courts in Tarrant county, Texas, and to define the jurisdiction thereof, and to provide for the venue of causes in said courts, and provide for the appointment of a district judge of the Sixty-seventh Judicial District of Texas, and to repeal all laws and parts of laws in conflict herewith."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 287.

On motion of Senator Skinner, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 287.

The Chair laid before the Senate, on second reading,

House bill No. 287, A bill to be entitled "An Act to amend Articles 2282 and 2284 of the Revised Civil Statutes of the State of Texas, 1895, as amended by an act entitled 'An Act to amend Title XL, Chapter 2, of the Revised Civil Statutes of the State of Texas, 1895, by adding Article 2274a, and amending Articles 2282 and 2284 of said title and chapter, relating to notice for and the manner of taking depositions in civil cases, approved April 12, 1905,,' and to repeal Article 2274a of said act of April 12, 1905, and to add to said Title XL, Chapter 2, of the Revised Civil Statutes of the State of Texas, 1895, Articles 2291a, 2291b, 2291c, 2291d, 2291e, 2291f and 2291g, amending the statute so as to provide for taking deposition in civil cases orally, and the method and procedure therefor."

Senator Skinner offered the following amendment, which was adopted:

Amend the bill by adding thereto Section 3, the following:

"Sec. 3. The crowded condition of the calendar, the near approach of final adjournment of the Legislature and the fact that there is now no adequate law on this subject creates an emergency and an imperative public necessity, which require the rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Green.	Murray.
Greer.	Paulus.
Griggs.	Senter.
Grinnan.	Skinner.
Harbison.	Smith.
Holsey.	Stone.

Present—Not Voting.

Veale.

Absent.

Faust.	Stokes.
Glasscock.	Terrell.
Harper.	Watson.
Kellie.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Harbison.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.

Nays—1.

Grinnan.

Absent.

Glasscock.	Stokes.
Harper.	Watson.
Smith.	Willacy.

Senator Skinner moved to reconsider the vote by which the bill was passed, and lay the motion on the table.

The motion to table prevailed.

SENATE BILL NO. 6—PASSAGE OF OVER GOVERNOR'S VETO.

Senator Kellie here called up the message from the Governor, presented to the Senate on this morning, and which can be found in the proceedings of today, and which message was a veto on Senate bill No. 6, the Santa Fe Merger Bill.

Senator Kellie moved that the bill be further considered by the Senate, and that it be passed over the said veto.

Question—Shall the bill be passed over the Governor's veto?

The bill was passed by the following vote:

Yeas—21.

Alexander.	Kellie.
Brachfield.	Masterson.
Chambers.	Murray.
Faust.	Paulus.
Glasscock.	Skinner.
Green.	Stokes.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Watson.
Harbison.	Willacy.
Hudspeth.	

Nays—10.

Barrett.	Mayfield.
Cunningham.	Meachum.
Harper.	Senter.
Holsey.	Smith.
Looney.	Veale.

Senator Kellie moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REASON FOR VOTING.

I vote "yea" because I bow to the wishes of my constituents, but I believe the Governor should be sustained, as he is right; however, out of respect for a majority of my constituents, I vote to override the veto of the Governor.

CHAMBERS.

HOUSE BILL NO. 332.

On motion of Senator Senter, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 332.

The Chair laid before the Senate, on second reading,

House bill No. 332, A bill to be entitled "An Act authorizing trustees of public schools to employ kindergarten teachers, and authorizing the issuance of certificates."

On motion of Senator Senter, the committee report, which provided that the bill be not printed, was adopted.

Senator Senter offered the following amendment:

Amend the bill by adding thereto a new section to be numbered Section 3 and to read as follows:

"Sec. 3. The fact that there exists no provision for maintaining kindergartens in connection with the public free schools of this State, and the near ap-

proach of the end of the session create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act shall take effect from and after its passage, and it is so enacted."

The amendment was read and adopted by the following vote:

Yeas—14.

Alexander.	Masterson.
Barrett.	Meachum.
Brachfield.	Senter.
Green.	Skinner.
Griggs.	Terrell.
Grinnan.	Veale.
Hudspeth.	Watson.

Nays—10.

Chambers.	Looney.
Glasscock.	Mayfield.
Greer.	Paulus.
Harbison.	Smith.
Kellie.	Stone.

Absent.

Cunningham.	Murray.
Faust.	Stokes.
Harper.	Willacy.
Holsey.	

(Senator Brachfield in the chair.)

Senator Smith offered the following amendment:

Amend the bill by striking out the enacting clause.

Pending discussion Senator Chambers moved the previous question on the amendment and the bill, which motion, being duly seconded, was so ordered.

Action recurred on the amendment by Senator Smith, and the same was lost by the following vote:

Yeas—12.

Chambers.	Looney.
Cunningham.	Mayfield.
Glasscock.	Paulus.
Greer.	Smith.
Harbison.	Stone.
Holsey.	Terrell.

Nays—16.

Alexander.	Masterson.
Barrett.	Meachum.
Brachfield.	Murray.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Hudspeth.	Veale.
Kellie.	Watson.

Absent.

Faust. Willacy.
Harper.

The bill was read second time, and passed to a third reading by the following vote:

Yeas—14.

Alexander. Masterson.
Barrett. Meachum.
Brachfield. Senter.
Green. Skinner.
Griggs. Stokes.
Grinnan. Veale.
Hudspeth. Watson.

Nays—13.

Chambers. Looney.
Cunningham. Mayfield.
Glasscock. Paulus.
Greer. Smith.
Harbison. Stone.
Holsey. Terrell.
Kellie.

Absent.

Faust. Murray.
Harper. Willacy.

Senator Senter moved to reconsider the vote by which the bill was passed to a third reading, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 698.

On motion of Senator Hudspeth, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 698.

The Chair laid before the Senate, on second reading,

House bill No. 698, A bill to be entitled "An Act to prescribe the time of holding the terms of the district court in the various counties comprising the Thirty-eighth Judicial District of the State of Texas, and to repeal all laws in conflict therewith."

On motion of Senator Hudspeth, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander. Masterson.
Barrett. Mayfield.
Brachfield. Meachum.
Chambers. Murray.
Cunningham. Paulus.
Glasscock. Senter.
Green. Skinner.
Greer. Smith.
Griggs. Stokes.
Harbison. Stone.
Holsey. Terrell.
Hudspeth. Veale.
Kellie. Watson.
Looney.

Absent.

Faust. Harper.
Grinnan. Willacy.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander. Looney.
Barrett. Masterson.
Brachfield. Mayfield.
Chambers. Meachum.
Cunningham. Murray.
Glasscock. Paulus.
Green. Skinner.
Greer. Smith.
Grinnan. Stokes.
Harper. Stone.
Holsey. Terrell.
Hudspeth. Veale.
Kellie. Watson.

Absent.

Faust. Senter.
Griggs. Willacy.
Harbison.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 95.

On motion of Senator Meachum, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 95.

The Chair laid before the Senate, on second reading,

House bill No. 95, A bill to be entitled "An Act to pay special veniremen."

Senator Meachum offered the following amendment, which was adopted:

Amend the bill by adding Section 2, to read as follows:

"Sec. 2. The near approach of the end of the session, and the crowded condition of the calendar creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read upon three several days, and that this act be in force and take effect from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Brachfield, the constitutional rule requiring bills be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—20.

Alexander.	Masterson.
Barrett.	Mayfield.
Chambers.	Meachum.
Green.	Murray.
Greer.	Paulus.
Grinnan.	Skinner.
Harper.	Smith.
Hudspeth.	Stone.
Kellie.	Veale.
Looney.	Watson.

Nays—1.

Brachfield.

Absent.

Cunningham.	Holsey.
Faust.	Senter.
Glasscock.	Stokes.
Griggs.	Terrell.
Harbison.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Mayfield.
Barrett.	Meachum.
Chambers.	Murray.
Green.	Paulus.
Greer.	Senter.
Grinnan.	Skinner.
Harbison.	Smith.
Harper.	Stokes.
Hudspeth.	Stone.
Kellie.	Terrell.
Looney.	Veale.
Masterson.	Watson.

Nays—1.

Brachfield.

Absent.

Cunningham.	Griggs.
Faust.	Holsey.
Glasscock.	Willacy.

Senator Meachum moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL. No. 687.

On motion of Senator Masterson, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 687.

The Chair laid before the Senate, on second reading,

House bill No. 687, A bill to be entitled "An Act fixing the compensation of county attorneys who, in cities of over thirty thousand population, represent the State in misdemeanor cases in the corporation courts thereof, and declaring an emergency."

On motion of Senator Masterson, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Masterson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Mayfield.
Barrett.	Meachum.
Brachfield.	Murray.
Chambers.	Paulus.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Smith.
Harbison.	Stokes.
Harper.	Stone.
Kellie.	Terrell.
Looney.	Veale.
Masterson.	Watson.

Absent.

Cunningham.	Holsey.
Faust.	Hudspeth.
Glasscock.	Willacy.
Griggs.	

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Green.	Meachum.
Greer.	Murray.
Grinnan.	Paulus.
Harbison.	Senter.
Kellie.	Smith.

Stokes. Veale.
Stone. Watson.
Terrell.

Absent.

Chambers. Harper.
Cunningham. Holsey.
Faust. Hudspeth.
Glasscock. Skinner.
Griggs. Willacy.

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Lieutenant Governor Davidson in the chair.)

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had read and referred, after its caption had been read, the following House bill:

House bill No. 727, to Committee on Roads, Bridges and Ferries.

NOTICE OF CHANGE OF RULES.

Notice is hereby given that an amendment to Senate Rule 30, as amended and printed in Senate Journal, February 26, 1907, page 416, will be, and is hereby offered, so as to make it read, "that no votes shall be taken upon the passage of any bill within the last twenty-four hours of the session, unless it be to correct errors therein, to concur in House amendments or to adopt conference or free conference committee reports.

LOONEY,
SKINNER.

SIMPLE RESOLUTION.

Senator Smith offered the following resolution by unanimous consent, which was read and adopted:

Resolved, That the President of the Senate is hereby authorized and requested to appoint two competent persons for the purpose of making, and who shall immediately make out an itemized statement showing how much and for what purpose the contingent fund of the Senate of the Regular Session of the Thirtieth Legislature has been expended. That the employees thus appointed shall make out an inventory of all supplies purchased for the use of the Senate, which have not been disposed of at the close of the session and then on hand. That if necessary and with the approval of the President of the Senate, the employees thus appoint-

ed by him may continue their labors for the purpose above mentioned, not to exceed two days after final adjournment of the Legislature. That they shall be allowed and paid the sum of \$5 for each day they may be actually engaged in the work called for by this resolution, and their account for such services shall be allowed and approved by the President of the Senate, and paid out of the contingent fund of the Senate, or other available fund for such purpose. That such statement and inventory shall be printed in the last day's Journal of the Senate of the Regular Session.

SEVENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 65, A bill to be entitled "An Act to create a State Text-Book Board and to procure for use in the public free schools of the State of Texas a series of uniform text-books; defining the duties of certain officers therein named; making an appropriation therefor; defining certain misdemeanors; providing for a bond for the faithful performance of the contract, and to cover liquidated damages for fraud or collusion and authorizing the Attorney General to bring suit therefor, and providing penalties for violations of the provisions of this act," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 65—CONFERENCE COMMITTEE ON.

Senator Harper called up, as a privileged matter.

Senate bill No. 65, A bill to be entitled "An Act to create a State Text-book Board, and to procure for use in the public free schools of the State of Texas a series of uniform text-books; defining the duties of certain officers therein named, making an appropriation therefor, defining certain misdemeanors, providing for a bond for the faithful performance of the contract, and to cover liquidated damages for fraud or collusion and authorizing the Attorney General to bring suit therefor, and providing penalties for violation of the provisions of this act,"

And moved that the Senate do not concur in the House amendments to the bill, and asked for a conference committee.

(On motion of Senator Harper, the House amendments were ordered not printed in the Journal.)

The motion to non-concur prevailed, and the Chair (Senator Brachfield, acting on the suggestion of Lieutenant Governor Davidson) appointed the following on the conference committee, on part of the Senate: Senators Hudspeth, Skinner, Barrett, Senter and Harper.

EIGHTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 191, A bill to be entitled "An Act to amend Article 639 of Chapter 7, Title XV, of the Penal Code of the State of Texas, in reference to the punishment for rape," with engrossed rider.

House concurs in Senate amendments to House bill No. 345.

House concurs in Senate amendments to House bill No. 20.

House adopted Free Conference Committee report on Senate bill No. 52.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 344.

Senator Mayfield called up, which was on the table subject to call,

House bill No. 344, A bill to be entitled "An Act to amend Articles 3752, 3753 and 3754, and to repeal Article 3756, Title LXXX, of the Civil Statutes of Texas, pensions, and to amend Sections 1 and 2, Chapter CVII, of the General Laws of Texas passed by the Twenty-sixth Legislature, relating to Confederate pensions."

The bill was read second time, and the Senate refused to pass the bill to a third reading by the following vote:

Yeas—12.

Alexander.	Hudspeth.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Paulus.
Grinnan.	Senter.
Harbison.	Stone.

Nays—17.

Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Murray.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Harper.	Terrell.
Holsey.	Watson.
Kellie.	

Absent.

Veale.

Willacy.

Senator Skinner moved to reconsider the vote by which the Senate refused to pass the bill to a third reading, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 743.

On motion of Senator Terrell, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 743.

The bill having been received from the House today,

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its second reading by the following vote:

Yeas—25.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Hudspeth.	Watson.
Kellie.	

Absent.

Cunningham.	Meachum.
Harper.	Veale.
Holsey.	Willacy.

The Chair laid before the Senate, on second reading,

House bill No. 743, A bill to be entitled "An Act to incorporate the city of Texarkana, Texas, as a city of the first-class as a city of ten thousand and over inhabitants: to grant to the said city a special charter; to repeal all laws in conflict herewith, and declaring an emergency."

On motion of Senator Terrell, the Senate rule requiring committee reports to lie over for one day, was suspended, for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Terrell, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Kellie.	

Absent.

Chambers.	Meachum.
Harper.	Skinner.
Hudspeth.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.

Absent.

Hudspeth.	Willacy.
Meachum.	

Senator Terrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

NINTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 185, A bill to be entitled "An Act to amend Article 181, Code of Criminal Procedure, prescribing the compensation of district attorneys to be paid by the State, by adding thereto Article 1081a, prescribing the compensation of district attorneys in districts composed of five or more counties," with amendments.

House bill No. 705, A bill to be entitled "An Act reorganizing the Fifty-fourth Judicial District and creating the Sixty-eighth Judicial District of Texas; prescribing the time of holding court in said districts, and providing for the appointment of a judge of said district."

Senate bill No. 119, A bill to be entitled "An Act to amend Section 1, Chapter 132, of the Acts of the Twenty-ninth Legislature, so as to permit the owner of land or lots sold to the State or to any city or town for taxes to redeem the same," with amendments.

House has adopted the Free Conference Committee Report on House bill No. 148.

House grants the request of the Senate for a Free Conference Committee on Senate bill No. 65, and the following have been appointed on the part of the House: Messrs. Alderdice, Bell of Free-stone, Davis of Brazos, Gafford and Ballegee.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE JOINT RESOLUTION NO. 18.

On motion of Senator Griggs, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House Joint Resolution No. 18.

The Chair laid before the Senate, on second reading,

House Joint Resolution No. 18, Amending Section 9, Article 8, of the Constitution of the State of Texas by adding thereto a section to be known as Section 9a, increasing the amount of tax that may be voted for the purpose of improving public roads, and to allow counties or political subdivisions of counties by a majority vote of the qualified property tax paying voters of the

county, or subdivisions thereof, voting at all elections to be held for that purpose, to adopt same.

Senator Griggs offered the following amendment, which was adopted:

Amend the bill by inserting after the word "county," in line 32, page 1, the following: "Or may issue bonds not to exceed twenty per cent of the assessed value of the real property in such district, for such road and bridge purposes."

Senator Griggs offered the following amendment, which was adopted:

Amend by inserting after the word "tax," line 32, page 1, the words, "or proceeds of such bonds."

Senator Griggs offered the following amendment, which was adopted:

Amend Section 2 of the bill by adding thereto the following: "And the sum of \$2000 or so much thereof as shall be necessary is hereby appropriated out of the Treasury of the State of Texas for the purpose of submitting this proposition to a vote of the people of the State of Texas."

The resolution was read second time, and passed to a third reading.

On motion of Senator Griggs, Senate Rule No. 37, which requires joint resolutions to be read on three several days, was suspended, and this resolution put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Kellie.
Chambers.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Stokes.
Griggs.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	

Nays—5.

Brachfield.	Murray.
Grinnan.	Stone.
Harbison.	

Absent.

Barrett.	Smith.
Meachum.	Willacy.
Skinner.	

The resolution was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Chambers.
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Cunningham.	Kellie.
Faust.	Looney.
Glasscock.	Mayfield.
Green.	Paulus.
Greer.	Senter.
Griggs.	Stokes.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	

Nays—6.

Brachfield.	Murray.
Grinnan.	Smith.
Masterson.	Stone.

Absent.

Barrett.	Skinner.
Meachum.	Willacy.

Senator Griggs moved to reconsider the vote by which the resolution was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 690.

On motion of Senator Watson, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 690.

The Chair laid before the Senate, on second reading,

House bill No. 690, A bill to be entitled "An Act to render more efficient the present road law in the State of Texas in its application and operation in the county of Lee."

On motion of Senator Watson, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Hudspeth.
Chambers.	Kellie.
Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Paulus.
Griggs.	Senter.
Grinnan.	Skinner.
Harper.	Stokes.
Holsey.	Stone.

Terrell. Watson.
Veale. Willacy.

Absent.

Alexander. Meachum.
Barrett. Smith.
Harbison.

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Alexander. Meachum.
Barrett. Smith.
Harbison.

Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 479.

On motion of Senator Willacy, the pending order of business (House bill No. 15) was suspended, and the Senate took up, out of its order, House bill No. 479.

The Chair laid before the Senate, on second reading,

House bill No. 479, A bill to be entitled "An Act to amend Article 5043, of Chapter 6 of Title CII, entitled 'Stock Laws,' of the Revised Statutes of Texas of 1895, so as to exempt the county of Webb from the provisions of Chapter 6."

On motion of Senator Willacy, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill. (See Appendix for committee report.)

On motion of Senator Willacy, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be

read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Barrett. Meachum.
Harbison. Smith.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Barrett. Meachum.
Brachfield. Smith.
Harbison.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 119 — HOUSE AMENDMENTS CONCURRED IN.

Senator Hudspeth called up, as a privileged matter,

Senate bill No. 119, A bill to be entitled "An Act to amend Section 1, Chapter 132 of the Acts of the Twenty-ninth Legislature, so as to permit the owners of land or lots sold to the State or to any city or town for taxes to redeem the same,"

And moved that the Senate concur in the following House amendments:

Amend Senate bill No. 119 by striking out all after the word "follows," line 22, and insert the following:

"Section 1. That the owner or any one having an interest in lands or lots heretofore sold to the State, or any city or town under decree of court in any suit or suits brought for the collection of the taxes thereon, or by a collector of taxes or otherwise, shall have the right within two years from the time this act goes into effect to redeem the same upon the payment of the amount of taxes for which sale was made, together with all costs, penalties and interest now required by law; and also the payment of all taxes, interest, penalties and costs on or against said lands or lots at the time of said redemption. And where lands or lots shall hereafter be sold to the State, or any city or town for taxes under decree of court in any suit or suits brought for collection of taxes thereon; or by a collector of taxes or otherwise; the owner having an interest in such lands or lots shall have the right to redeem the same within two years after such sale, upon payment of the amount of taxes for which sale was made, together with all costs, penalties and interest now required by law; and also the payment of all the taxes, interest, penalties, cost on or against said land or lots at the time of redemption.

"Sec. 2. The fact that the law now requires double the amount of taxes on redemption, thereby depriving the State of quite a large sum of tax money, creates an emergency and imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted."

The motion to concur prevailed by the following vote:

Yeas—25.

Alexander.	Masterson.
Chambers.	Mayfield.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	

Nays—2.

Brachfield.	Grinnan.
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Absent.

Barrett.	Meachum.
Harbison.	Willacy.

REFUSE TO ADJOURN.

Senator Harper moved that the Senate adjourn until to morrow morning at 10 o'clock. The motion was lost by the following vote:

Yeas—7.

Faust.	Stone.
Harper.	Veale.
Murray.	Watson.
Smith.	

Nays—20.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.

Absent.

Harbison.	Meachum.
Hudspeth.	Willacy.

Senator Glasscock moved that the Senate recess until tonight at 8 o'clock, which motion prevailed by the following vote:

Yeas—15.

Alexander.	Masterson.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Watson.
Kellie.	

Nays—13.

Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Veale.
Grinnan.	

Absent.

Harbison.	Willacy.
Meachum.	

AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Davidson.

HOUSE BILL NO. 15.

The Chair laid before the Senate, on second reading and pending business,

House bill No. 15, A bill to be entitled "An act to provide for the health and safety of persons in and around mines, and for creating a State Mining Board and the office of State Mine Inspector, and defining the duties of such inspector."

There being three committee reports on the bill, one unfavorable majority, one favorable minority and one favorable minority report with amendments,

Senator Brachfield moved the adoption of the favorable minority report, and

Senator Harper moved, as a substitute, the adoption of the favorable minority report with amendments, which is signed by Senators Hudspeth and Griggs.

(Senator Meachum in the chair.)

Pending discussion, Senator Brachfield moved to table the substitute motion, which motion to table prevailed by the following vote:

Yeas—16.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Cunningham.	Paulus.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

Nays—14.

Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Smith.
Griggs.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Harbison.

Action then recurred on the motion by Senator Brachfield to adopt the favorable minority report, which motion was adopted by the following vote:

Yeas—19.

Alexander.	Barrett.
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Brachfield.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Meachum.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.
Looney.	

Nays—11.

Chambers.	Smith.
Faust.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Murray.	

Absent.

Harbison.

Senator Holsey offered the following amendment, which was adopted:

Amend the bill on page 7, in line 26, by striking out the words "two thousand dollars," and insert in lieu thereof "fifteen hundred dollars."

Senator Watson offered the following amendment:

Amend the bill by striking out all of Sections 14, 15, 16, 17, 18, 19, 20 and 21.

REFUSE TO ADJOURN.

Senator Watson here moved that the Senate adjourn until tomorrow morning at 10 o'clock. The motion was lost by the following vote:

Yeas—10.

Chambers.	Murray.
Faust.	Stone.
Griggs.	Terrell.
Harper.	Watson.
Kellie.	Willacy.

Nays—20.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Cunningham.	Meachum.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Smith.
Holsey.	Stokes.
Hudspeth.	Veale.

Absent.

Harbison.

(Lieutenant Governor Davidson in the chair.)

HOUSE BILL NO. 15.

Action recurred on House bill No. 15, the question being on the amendment by Senator Watson, and Senator Alexander moved the previous question on the amendment and the bill, which motion, being duly seconded, was so ordered by the following vote:

Yeas—18.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Cunningham.	Meachum.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Veale.

Nays—10.

Chambers.	Murray.
Faust.	Stone.
Holsey.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Harbison.	Skinner.
Harper.	

Action recurred on the amendment by Senator Watson, and the same was lost by the following vote:

Yeas—6.

Faust.	Terrell.
Kellie.	Watson.
Stone.	Willacy.

Nays—22.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Smith.
Grinnan.	Stokes.
Holsey.	Veale.

Absent.

Harbison.	Skinner.
Harper.	

The bill was read second time, and passed to a third reading by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Veale.
Holsey.	Willacy.

Nays—8.

Faust.	Smith.
Harper.	Stone.
Kellie.	Terrell.
Murray.	Watson.

Absent.

Harbison.

Senator Brachfield moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Terrell.
Holsey.	Veale.

Nays—8.

Faust.	Smith.
Harper.	Stone.
Kellie.	Watson.
Murray.	Willacy.

Absent.

Harbison.

Senator Brachfield moved to reconsider the vote by which the bill was passed to a third reading, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 185 — HOUSE AMENDMENTS.

Senator Hudspeth called up, as a privileged matter,
Senate bill No. 185, A bill to be en-

titled "An Act to amend Article 181, Code of Criminal Procedure, prescribing the compensation of district attorneys to be paid by the State, by adding thereto Article 1081a, prescribing the compensation of district attorneys in districts composed of five or more counties."

And moved that the Senate concur in the following House amendments:

Amend the bill by striking out the word "four" wherever it occurs in the caption and in the bill and insert in lieu thereof the word "three."

The motion to concur prevailed by the following vote:

Yeas—25.

Alexander.	Looney.
Barrett.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Nays—2.

Brachfield. Stokes.

Absent.

Harbison. Paulus.
Harper. Senter.

TENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 244, A bill to be entitled "An Act authorizing the Governor of Texas and the Superintendent of Public Buildings and Grounds to expend the sum of \$10,000, or so much thereof as may be necessary, in purchasing and having erected a suitable monument of Texas granite over the grave of General Sam Houston, at Huntsville, Texas, having said grave enclosed by a suitable iron fence, and for improving and properly caring for such grave, providing an appropriation therefor, and declaring an emergency."

House concurs in Senate amendments to House bills Nos. 95, 426, 476 and 481.

Also concurs in Senate amendments to House bill No. 420 by the following vote: Yeas, 79; nays, 8.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

ELEVENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 221, A bill to be entitled "An Act to amend Article 651, Chapter 3, Title XXI, of the Revised Statutes of the State of Texas."

Senate bill No. 183, A bill to be entitled "An Act to create in the Department of Agriculture of Texas a Bureau of Cotton Statistics; prescribing the duties of the Commissioner of Agriculture, the county clerks, the public ginners, and prescribing penalties for the violation of this act."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 467.

Senator Murray moved that the pending order of business (House Joint Resolution No. 24) be suspended, and the Senate take up, out of its order, House bill No. 467.

Senator Masterson moved that the Senate adjourn until tomorrow morning.

The motion was lost.

Senator Holsey moved, as a substitute to Senator Murray's motion, to suspend pending business, and take up House bill No. 531.

The substitute motion was, on motion of Senator Murray, tabled.

The motion by Senator Murray was then adopted.

The Chair laid before the Senate, on second reading,

House bill No. 467, A bill to be entitled "An Act to amend Article 2518c, Article 2518e, and Article 2518k, Chapter 90, General Laws of the State of Texas, 1905, passed by the Twenty-ninth Legislature, and approved April 14, 1905, and Article 2581, and Article 1518q, of the General Laws, 1899, passed by the Twenty-sixth Legislature, and approved June 5, 1899; and by adding Article 526a, defining and prohibiting the accepting for shipment by any com-

mon carrier of oysters between the 30th day of April and the 1st day of September in any year of any oysters for planting, bedding, depositing or for marketing; and by amending Article 529e, Chapter CXXX, General Laws of 1901, Twenty-seventh Legislature, approved April 23, 1901; and Article 529j of the Acts of 1895, Twenty-fourth Legislature, and to repeal Article 527 of the Penal Code of the State of Texas; and by amending Article 529o, of the Penal Code of 1895, relating to the powers of the Fish and Oyster Commissioner, and declaring an emergency."

On motion of Senator Murray, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill. (See Appendix for committee report.)

On motion of Senator Murray, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Looney.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Stokes.
Green.	Stone.
Greer.	Terrell.
Griggs.	Veale.
Grinnan.	Watson.
Holsey.	Willacy.
Kellie.	

Nays—1.

Masterson.

Absent.

Barrett.	Paulus.
Cunningham.	Senter.
Harbison.	Skinner.
Harper.	Smith.
Hudspeth.	

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Greer.
Brachfield.	Griggs.
Chambers.	Grinnan.
Faust.	Holsey.
Glasscock.	Hudspeth.
Green.	Kellie.

Looney.	Terrell.
Mayfield.	Veale.
Meachum.	Watson.
Murray.	Willacy.
Stone.	

Nays—2.

Masterson.

Stokes.

Absent.

Barrett.	Paulus.
Cunningham.	Senter.
Harbison.	Skinner.
Harper.	Smith.

Senator Murray moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had read and referred, after their captions had been read, the following House bills:

House bill No. 191, to Judiciary Committee No. 2.

House bill No. 705, to Committee on Judicial Districts.

HOUSE JOINT RESOLUTION NO. 40.

Senator Glasscock moved that the pending order of business (House Joint Resolution No 24) be suspended, and the Senate take up, out of its order, House Joint Resolution No. 40.

Senator Chambers here moved that the Senate adjourn until tomorrow morning at 10 o'clock.

The motion was lost.

The motion to take up House Joint Resolution No. 40 was then adopted.

On motion of Senator Glasscock, Senate Rule 37, requiring joint resolutions to be read on three several days was suspended, and this resolution was put on its second reading by the following vote:

Yeas—21.

Alexander.	Masterson.
Brachfield.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Stokes.
Greer.	Stone.
Griggs.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Nays—1.

Chambers.

Absent.

Barrett.	Paulus.
Cunningham.	Senter.
Grinnan.	Skinner.
Harbison.	Smith.
Harper.	

The Chair laid before the Senate, on second reading,

House Joint Resolution No. 40, to amend Section 24, of Article 3, of the Constitution of the State of Texas, relating to the compensation of the members of the Legislature.

On motion of Senator Glasscock, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this resolution (see Appendix for committee report).

On motion of Senator Glasscock, the committee report, which provided that the resolution be not printed, was adopted.

The resolution was read second time, and passed to a third reading.

On motion of Senator Glasscock, Senate Rule 37, requiring resolutions to be read on three several days, was suspended, and the resolution put on third reading and final passage by the following vote:

Yeas—26.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Cunningham.	Paulus.
Grinnan.	Smith.
Harbison.	

The resolution was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Harper.
Faust.	Holsey.
Glasscock.	Hudspeth.
Green.	Kellie.
Greer.	Masterson.
Griggs.	Mayfield.
Grinnan.	Murray.

Senter.	Veale.
Skinner.	Watson.
Stokes.	Willacy.
Terrell.	

Nays—6.

Barrett.	Looney.
Brachfield.	Meachum.
Chambers.	Stone.

Absent.

Cunningham.	Paulus.
Harbison.	Smith.

HOUSE BILL NO. 531.

On motion of Senator Meachum, the pending order of business (House Joint Resolution No. 24), was suspended, and the Senate took up, out of its order, House bill No. 531.

The Chair laid before the Senate, on second reading,

House bill No. 531, A bill to be entitled "An Act defining the duties of the Attorney General with reference to the examination and approval of articles of incorporation of proposed corporations and amendments of articles of incorporation and of applications of foreign corporations for a permit to do business within this State, and providing for a certificate of such examination and approval, and prohibiting the filing of such articles of incorporation of such permit in the absence of such certificates, and requiring the payment of certain fees of such examination, and prescribing the manner of payment of all such fees, repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

The committee report, with amendments, and that it be not printed, was adopted, on motion of Senator Meachum.

Bill read second time, and passed to a third reading.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Grinnan.
Barrett.	Harper.
Brachfield.	Holsey.
Chambers.	Hudspeth.
Faust.	Kellie.
Glasscock.	Looney.
Green.	Masterson.
Greer.	Mayfield.
Griggs.	Meachum.

Murray.	Stone.
Senter.	Veale.
Stokes.	Willacy.

Nays—2.

Skinner.	Watson.
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Present—Not Voting.

Terrell.

Absent.

Cunningham.	Paulus.
Harbison.	Smith.

BILLS SIGNED BY THE CHAIR.

The Chair (President Pro Tem. Skinner) gave notice of signing, and did sign in the presence of the Senate, after their captions had been read:

Senate bill No. 156, "An Act to amend Section 3 of an Act of the Twenty-ninth Legislature of Texas, approved May 1, 1905, entitled 'An Act relating to State and county finances and the finances of cities incorporated under the General Laws of this State, providing for a system of State, county and city depositories for said State, county and city funds, for the selection and designation of such depositories; to provide penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict herewith.'"

Senate bill No. 310, "An Act to reorganize the Fifth Judicial District and the Seventh Judicial District of Texas, and prescribing the time of holding court in the counties composing said districts, and validating process, and providing for an emergency."

Senate bill No. 286, "An Act to amend an act entitled 'An Act to amend Section 1 of an act to amend an act entitled an act to redistrict the State into judicial districts and fix the times of holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved March 24, 1885; to create the Forty-third Judicial District of the State of Texas, fix the times for holding court therein, and to provide for the appointment of a district judge for said district, approved March 30, 1887, to create the Forty-eighth Judicial District of the State of Texas, fix the times for holding court therein, and to fix the times for holding court in the Seventeenth Judi-

cial District of the State of Texas, and to provide for the appointment of a district judge for the said Forty-eighth Judicial District,' passed by the Twenty-second Legislature of the State of Texas, approved February 6, 1891, and being Chapter 3 of the General Laws of Texas of 1891, and to create the Sixty-seventh Judicial District of the State of Texas, fix the times of holding the district courts in Tarrant county, Texas, and to define the jurisdiction thereof, and to provide for the venue of causes in said courts, and provide for the appointment of a district judge for the Sixty-seventh Judicial District of Texas, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 151, "An Act to amend Section 6 of Chapter 102 of the Acts of the Regular Session of the Twenty-sixth Legislature, entitled 'An Act to promote agriculture and stock raising, and to prohibit the hunting with firearms or dogs upon the enclosed or posted lands of another, in all counties within this State, not especially named as exempt from the provisions of this act,' as amended by the Twenty-eighth Legislature, and as amended by Chapter 71a, General Laws of the Twenty-ninth Legislature, to provide penalties and with an emergency clause."

Senate bill No. 26, "An Act to repeal Chapter 12 of the General Laws of Texas, passed by the Twenty-seventh Legislature, page 12, Laws of 1901, and to pass in lieu thereof this act; to create a Board of Medical Examiners for the examination and licensing of all physicians, surgeons and obstetricians; to prescribe their qualifications; to provide for their proper registration, the revocation of their licenses for flagrant offenses; and to fix suitable penalties for illegal practice."

Senate bill No. 164, "An Act relating to fines, forfeitures and penalties due the State of Texas, to provide for securing the payment thereof, to provide for the enforcement thereof against corporations that have or may hereafter dissolve, and to provide for the survival of actions and causes of actions therefor."

ADJOURNMENT.

On motion of Senator Skinner, the Senate, at 11:15 o'clock adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

TELEGRAM OF THANKS.

The Chair had the following read to the Senate:

San Angelo, Texas, April 10, 1907.

Lieutenant Governor Davidson, Austin, Texas.

Please convey to Senate thankful appreciation for beneficial righteous anti-bucket shop laws cotton growers all our friends and moral citizens will remember action with gratitude thanks God we farmers still have some friends and future gamblers are not on top.

C. B. METCALE,

46 Tex. Divn. Southern Cotton Assn.
225PM

COMMITTEE REPORTS.

(Floor Report.)

Committee Room.

Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 672, A bill to be entitled "An Act to amend Chapter 5, of the Special Laws of the Twenty-ninth Legislature, being an act to create a more efficient road law for Kaufman county, Texas, by adding thereto Section 16a, and declaring an emergency,"

Have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass, and be not printed.

Green, Chairman; Watson, Hudspeth, Glasscock, Mayfield, Meachum.

(Floor Report.)

Committee Room,

Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Finance Committee, to whom was referred

House bill No. 746, A bill to be entitled "An Act appropriating \$15,000 or so much as is necessary to pay the contingent expenses of the Thirtieth Legislature, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Willacy, Chairman; Faust, Murray, Green, Masterson, Meachum, Harper, Stokes.

Committee Room,

Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Public Roads and Bridges, to whom was referred

House bill No. 740, being a local road law for Smith county, Texas,

Have had same under consideration, and report same back with the recommendation that it do pass. We also recommend that said bill be not printed.

Green; Chairman; Meachum, Harper, Glasscock, Mayfield, Senter, Hudspeth, Watson.

(Floor Report.)

Committee Room,

Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred

House bill No. 409, A bill to be entitled "An Act to provide for the construction of an addition to the General Land Office Building, and the equipment of the same, to make an appropriation therefor, and declaring an emergency,"

Have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Griggs, Glasscock, Harper, Faust, Chambers.

(Floor Report.)

Committee Room,

Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 1, to whom was referred

House bill No. 627, A bill to be entitled "An Act to amend Article 2439a, Chapter 41, Title 45, of the Revised Civil Statutes of Texas, relating to fees of office charged and collected by certain State officers as amended by Chapter 91, and adding thereto Article 2439a, prohibiting the approval or payment of any account or claim to any official who refuses or fails to take out his commission, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass and be not printed.

Stone, Chairman; Griggs, Chambers, Senter, Green, Meachum, Skinner.

(Floor Report.)

Committee Room,
Austin, Texas, April 9, 1907.

Hon A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Judiciary Committee No. 1, to whom was referred

House bill No. 489, A bill to be entitled "An Act to amend Section 1, Chapter 161, Acts Twenty-ninth Legislature, to provide for the appointment and qualification of a county auditor in any county having therein a city with a population of twenty-five thousand and over, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Stone, Grinnan, Paulus, Harper, Griggs, Green, Skinner, Meachum.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 1, to whom was referred

House bill No. 699, A bill to be entitled "An Act to enable corporations to become surety on official bonds, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass and be not printed.

Stone, Chairman; Veale, Grinnan, Skinner, Harper, Chambers, Masterson, Senter, Green, Brachfield.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon A. B. Davidson, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

House bill No. 479, A bill to be entitled "An Act to amend Article 5043, of Chapter 6, of Title 102, entitled 'Stock Laws' of the Revised Statutes of Texas, of 1895, so as to exempt the county of Webb from the provisions of Chapter 6."

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Hudspeth, Alexander, Green, Grinnan, Murray.

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Labor, to whom was referred

House bill No. 336, A bill to be entitled "An Act to provide for an eight-hour day for railroad telegraph or telephone operators, and providing penalties for violation,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

ALEXANDER, Chairman.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 727, A bill to be entitled "An Act to authorize any county or any political subdivision of a county to issue bonds," etc.,

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Green, Grinnan, Meachum, Watson, Hudspeth.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 683, A bill to be entitled "An Act to amend Section 10 and Section 30, of Chapter 49, of the Acts of the Twenty-seventh Legislature, as amended by the Twenty-eighth Legislature, Chapter 11, so as to provide for the increase of the payment of the road commissioners in the counties of Fayette, Uvalde and Frio to the maximum of three hundred and sixty dollars instead of three hundred dollars per year, and to provide for the increase of the amounts of contracts, material and labor for the construction of any bridge that must be advertised,"

Have had the same under consideration and we report same back to the

Senate with the recommendation that it do pass and be not printed.

Green, Chairman; Veale, Senter, Mayfield, Glasscock.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 710, A bill to be entitled "An Act to create a more efficient road system for Lamar county, Texas,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass and be not printed.

Green, Chairman; Glasscock, Mayfield, Senter, Meachum, Hudspeth, Watson.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

House Joint Resolution No. 40, Joint resolution to amend Section 24 of Article 3 of the Constitution of the State of Texas,

Have had the same under consideration, and we report it back to the Senate with the recommendation that it do pass, and be not printed.

Harper, Chairman; Senter, Skinner, Grinnan, Looney.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 738, A bill to be entitled "An Act to incorporate the Rockwall Independent School District for free school purposes only, and declaring an emergency,"

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Grinnan, Kellie, Paulus, Senter, Green, Glasscock, Harper.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

House bill No. 734, A bill to be entitled "An Act to authorize and permit the territory within the bounds of the town of Maude, in the county of Bowie, and State of Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as the Maude Independent School District, with powers, rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only, and declaring an emergency,"

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Harper, Green, Grinnan, Meachum, Paulus, Glasscock.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

House bill No. 684, A bill to be entitled "An Act to provide for reorganizing Port Arthur Independent School District in Jefferson county, Texas; and for a tax assessor and collector for said school district to be elected by the qualified voters of said district; to provide for removing officers of said board, and said tax assessor and collector, for misconduct in office, or unsatisfactory attention to duties of their respective offices, by a majority vote of said board; to provide for filling vacancies in the membership of said board, and in said office of tax assessor and collector, by a majority of said board; to provide for the levy and collection of local taxes for school maintenance purposes at not exceeding one-half of one per cent, and for the purpose of paying the interest on and providing a sinking fund to pay at maturity the bonds of said district heretofore or hereafter legally voted within the limits provided by law; to provide for paying the judges and clerks for holding school elections for said district; to provide when teachers

may be elected by the board; to provide for making this act cumulative of the general laws of this State regulating towns and villages incorporated for free school purposes only under the said general laws, except in case of conflict, when this act shall control; and providing that all such general laws now in force, or that may hereafter be enacted, shall apply to and govern, and control said Port Arthur Independent School District except in case of conflict, when this act shall control; and to provide for repealing Chapter 184, passed at the Regular Session of the Twenty-sixth Legislature, and all other acts or parts of acts, in so far as the same are in conflict with this act; and declaring an emergency."

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Harper, Kellie, Meachum, Green, Glasscock.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

House bill No. 743, A bill to be entitled "An Act to incorporate the city of Texarkana as a city of the first-class as a city of 10,000 and over inhabitants; to grant to the said city a special charter; to repeal all laws in conflict herewith and declaring an emergency."

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass, and be not printed.

Chambers, Chairman; Alexander, Green, Griggs, Smith, Hudspeth.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Judiciary No. 1, to whom was referred

House bill No. 307, A bill to be entitled "An Act to amend Article 4943, Title CII, Chapter 3, Revised Civil Statutes, providing for butcher's reports, so that it shall hereafter read as follows,"

Have had the same under consideration, and beg to report it back to the

Senate with the recommendation that it do pass, and be not printed.

Stone, Veale, Harper, Grinnan, Skinner, Paulus, Senter, Griggs, Meachum, Masterson, Chambers, Green.

(Floor Report.)

Committee Room,
Austin, Texas, April 9, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 2, to whom was referred

House bill No. 466, A bill to be entitled "An Act to prohibit persons from lounging around or rooming together with a common prostitute or female person of unchaste character or to procure or induce other persons and such prostitutes to engage in sexual intercourse, to induce or attempt to induce any female person to go into any rooming house commonly reputed to be an assignation house, or any other place where prostitutes resort, prescribing a penalty, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Looney, Chairman; Terrell, Alexander, Barrett, Greer, Paulus, Cunningham.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 2, to whom was referred

House bill No. 467, A bill to be entitled "An Act to amend Articles 2516, 2518c, 2518e, 2518k, of Chapter 90, of the Acts of the Twenty-ninth Legislature, Articles 2518m, 2518n, of Chapter CXXII, of the Acts of the Twenty-eighth Legislature, etc., and repealing all laws and parts of laws in conflict with the above, and declaring an emergency, when this act shall take effect,"

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass, and be not printed.

Looney, Chairman; Cunningham, Barrett, Paulus, Alexander, Watson, Greer.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 253, A bill to be entitled "An Act to amend Article 4577, Chapter 13, Title 94, of the Revised Statutes of the State of Texas, 1895, relating to railroads, and declaring an emergency,"

And find the same correctly engrossed.
CUNNINGHAM, Chairman.

SEVENTIETH DAY.

Senate Chamber,
Austin, Texas,
Thursday, April 11, 1907.

Senate met pursuant to adjournment.
Lieutenant Governor A. B. Davidson
in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Wednesday, on motion of Senator Barrett, the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

SIMPLE RESOLUTION.

By Senator Chambers:

Be it resolved by the Senate of the State of Texas, That no Senator shall be permitted to speak on any subject during remainder of this session, except by unanimous consent; provided, that the adoption of this resolution shall not prevent the person calling up bill five minutes in which to explain the merits thereof.

The resolution was read, and adopted.
Morning call concluded.

RULES AMENDED.

Senator Looney here called up the following notice of amendment to the Rules

of the Senate, the same having been published in the Journal of yesterday.

Notice is hereby given that an amendment to Senate Rule XXX, as amended and printed in Senate Journal February 26, 1907, page 416, will be and is hereby offered so as to make it read that no vote shall be taken upon the passage of any bill within the last twenty-four hours of the session, unless it be to correct errors therein, to concur in House amendments or to adopt conference or Free Conference Committee reports.

LOONEY,
SKINNER.

On motion of Senator Looney, the amendment to the Rules was adopted by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.

Nays—1.

Stokes.

Absent.

Cunningham. Willacy.

CONFERENCE COMMITTEE REPORT.

Committee Room,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate, and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, to whom was referred

Senate bill No. 65, A bill to be entitled "An Act to create a State Text-Book Board, and to procure for use in the public free schools of the State of Texas a series of uniform text-books, defining the duties of certain officers therein named; making an appropriation therefor; defining certain misdemeanors providing for a bond for the faithful performance of the contract, and to cover liquidated damages for fraud or